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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/926,437	01/18/2002	Steven Spicer	T8466296US	4257

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GOWLING LAFLEUR HENDERSON LLP  
COMMERCE COURT WEST, SUITE 4900  
TORONTO, ON M5L 1J3  
CANADA

EXAMINER

GEREZGIHER, YEMANE M

ART UNIT PAPER NUMBER

2144

DATE MAILED: 02/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/926,437

**Applicant(s)**

SPICER ET AL.

**Examiner**

Yemane M Gerezgiher

**Art Unit**

2144

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 January 2002.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-9 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 18 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☒ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/04/02, 06/17/02</u> . | 6) <input type="checkbox"/> Other: _____  |

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**DETAILED ACTION**

1. This application has been examined. Claims 1-9 are pending.

**Priority**

2. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Canada on 03/01/2000. It is noted, however, that applicant has not filed a certified copy of the application as required by 35 U.S.C. 119(b).

**Claim Rejections - 35 USC § 102**

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 6-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Grantges (U.S. Patent Number 6,324,648) hereinafter referred to as Grantges.

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As per claim 6: *providing a request for communication between one of the network terminals and one of the network resources;* (See Figures 1,2,7 and Column 14 Lines 53-67: Grantges disclosed receiving a request from a client terminal over insecure global network such as the Internet accessing a protected network resource), *receiving application data for transmission by the one network terminal to the one network resource,* (See Figure 1 and Column 15 Lines 44-51: Grantges disclosed receiving an HTTPS application request to one of the network resource) *and receiving resource data associated with the one network resource; and directing the application data over the network in accordance with received network address data.* (Grantges disclosed receiving the network resource and user information associated with resources (See Column 13 Lines 14-15 and Column 13 Lines 22-60) and directing requested applications to the appropriate address in the network, See Column 9 Lines 9-35).

As per claim 7: *wherein the resource data comprises a network address associated with the one network resource.* (See Column 8 Lines 19-28: Grantges disclosed receiving a client request to the secured network resource and the DMZ proxy server identified the destination address of the requested resource (destined server) which was not directly known to the client terminal).

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As per claim 8: wherein the resource data comprises a password associated with the one network resource for accessing the one network resource. (See Column 2 Lines 63-67 and Column 16 Lines 20-29 & 51-62: Grantges disclosed an authorization server retrieving user's ID and password in validating access to the requested network resource).

As per claim 9: directing step comprises the steps of encrypting the password together with the translated data, and transmitting the encrypted data to the one network resource. (See Column 8 Lines 45-52: Grantges taught a transmitter encrypting messages before transmitting to the destined network resource and further encrypting messages including the authentication inputs (ID and passwords) associated with the requested network resource. See Column 1 Lines 45-54, Column 6 Lines 3-11, Column 8 Lines 46-52, Column 9 Lines 36-44).

#### Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grantges (U.S. Patent Number 6,324,648) in view of Matsukura (US 20030097430 A1).

As per claim 1: *a network resource driver for facilitating communication of source data between the network terminals and one of the network resources, the resource driver including a driver input for receiving the source data and a driver output for providing a translation of the source data in accordance with the one network resource; (Grantges disclosed a system allowing a user at a client terminal establishing a secure communication with a network resource virtually protected via a firewall in an enterprise network. Having said that, the process of establishing the described communication between the client terminal and the network resource in the secured private network inherently involves the "network resource driver including a driver input for receiving source data and a driver output..." (a network interface) creating the communication in the process of providing a controlled access to network resources).*

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a driver administrator configured for communication with a resource registry, the resource registry including resource records associated with the network resources, the resource records defining at least a resource type for each said network resource, the driver administrator being configured to configure the network resource driver in accordance with the resource record associated with the one network resource; and a data transmitter in communication with the driver output for transmitting the translated data to the one network resource.

(Grantges disclosed an administration/administrator interface on the authorization server facilitating the authentication of the configuration content from the resource storage of the client and the network resource and performing the content access control. See Column 7 Lines 49-58).

As per claim 2: wherein the resource record identifies a network address associated with the one network resource. (See Column 8 Lines 19-28: Grantges disclosed receiving a client request to the secured network resource and the DMZ proxy server identified the destination address of the requested resource (destined server) which was not directly known to the client terminal).

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As per claim 3: wherein the data transmitter is configured for encrypting the translated data prior to transmission to the one network resource. (See Column 8 Lines 45-52: Grantges taught a transmitter encrypting messages before transmitting to the destined network resource).

As per claim 4: wherein the resource record identifies a password associated with the one network resource for accessing the one network resource. (See Column 2 Lines 63-67 and Column 16 Lines 20-29 & 51-62: Grantges disclosed an authorization server retrieving user's ID and password in validating access to the requested network resource).

As per claim 5: wherein the data transmitter is configured to encrypt the password together with the translated data, and to transmit the encrypted data to the one network resource. (See Column 8 Lines 45-52: Grantges taught a transmitter encrypting messages before transmitting to the destined network resource and further encrypting messages including the authentication inputs (ID and passwords) associated with the requested network resource. See Column 1 Lines 45-54, Column 6 Lines 3-11, Column 8 Lines 46-52, Column 9 Lines 36-44).



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Grantges substantially disclosed the claimed invention as claimed. However, Grantges was silent about the resource record explicitly defining a resource type for each resource type. However, as evidenced by the teachings of Matsukura, resource records having therein a resource type, location of the resource, access condition (access level), name of the network resource on the network was known in the art at the time the invention was made. See Figures 1, 2, 5, 7, 8 and 10, and Page 5 Paragraph [0056]. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to take the teachings of Matsukura related to a resource registry having therein network resource type, network resource name and location and have modified the teachings of Grantges related to a communication access control to network resources because such a modification would facilitate the process of locating and making use of the resources according to the type and location accordingly.

#### Conclusion

7. The prior art made of record (Form PTO-892) and not relied upon is considered pertinent to Applicant's disclosure.


8. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Yemane

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Gerezgiher whose telephone number is (571) 272-3927. The examiner can normally be reached on Monday- Friday from 9:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful. The examiner's supervisor, William Cuchlinski, can be reached at (571) 272-3925.

*Yemane M. Gerezgiher*  
Patent Examiner  
AU: 2144

  
WILLIAM A. CUCHLINSKI, JR.  
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